

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

E.T., by and through her parents and next friends; J.R., by and through her parents and next friends; H.M., by and through her parents and next friends; E.S., by and through her parents and next friends; M.P., by and through her parents and next friends; S.P., by and through her parents and next friends; and A.M., by and through her parents and next friends.

Plaintiffs,

v.

MIKE MORATH, in his official capacity as the COMMISSIONER of the TEXAS EDUCATION AGENCY; the TEXAS EDUCATION AGENCY; and ATTORNEY GENERAL KENNETH PAXTON, in his official capacity as ATTORNEY GENERAL OF TEXAS,

Defendants.

Civil Action No. 1:21-CV-00717-LY

## **PLAINTIFFS' EXHIBIT LIST**

Exhibit Num	Beg. Bates No.	End Bates No.	Description	May/Will Introduce at Trial	Confidential
1	PLAINTIFF000046	PLAINTIFF000051	Governor Abbott's Executive Order GA-38 - July 29, 2021	Will introduce	
2	PLAINTIFF002483		TEA Public Health Guidance - last updated September 17, 2021	Will introduce	
3	PLAINTIFF001748		TEA Public Health Guidance - September 2, 2021	Will introduce	
4	PLAINTIFF002301		TEA Public Health Guidance - August 5, 2021	Will introduce	
5	PLAINTIFF002303		TEA Public Health Guidance - August 19, 2021		
6	PLAINTIFF002295		United States Department of Education - Office for Civil Rights Letter to TEA Commissioner Mike Morath - September 21, 2021	Will introduce	
7	PLAINTIFF002357		Texas HHS - Texas Public Schools Covid-19 Data - Graphic (PDF) - as of September 12, 2021	Will introduce - *Plaintiffs to pull updated data before trial.	
8	PLAINTIFF002341		Texas HHS - School Reported COVID-19 Cases in Public Schools - (Excel Spreadsheet) - as of September 12, 2021	Will introduce - *Plaintiffs to pull updated data before trial.	
9	PLAINTIFF002481		Texas HHS - State-wide Self-Reported COVID-19 Data - (Excel Spreadsheet) - as of September 12, 2021	Will introduce - *Plaintiffs to pull updated data before trial.	
10	PLAINTIFF002358		Texas HHS - Texas Public Schools Historical Cumulative COVID-19 Data for 2020-2021 School Year (PDF)	Will introduce	
11	PLAINTIFF002453		THHS - Texas Public Schools Historical Cumulative COVID-19 Data for 2020-2021 School Year (Excel Spreadsheet)	Will introduce	
12	PLAINTIFF002425		OAG Website - List of Government Entities Unlawfully Imposing Mask Mandates - last updated September 21, 2021	Will introduce - *Plaintiffs to pull updated list before trial.	
13	PLAINTIFF000441	PLAINTIFF000456	CDC's Guidance for COVID-19 Prevention in K-12 Schools	Will introduce	
14			List of Stipulated Facts and Plaintiff Chart	Will introduce	
15	PLAINTIFF000768		Expert Declaration of Dr. Alexander Yudovich	Will introduce	Confidential
16	PLAINTIFF000786		Amendment to Expert Declaration of Dr. Alexander Yudovich	Will introduce	Confidential
17	PLAINTIFF001416		Expert Declaration of Dr. Edward Septimus	Will introduce	Confidential
18	PLAINTIFF001244		Expert Declaration of Dr. Benjamin Greenberg	Will introduce	
19	PLAINTIFF001288		Expert Declaration of Dr. Dona Kim Murphey	Will introduce	
20	PLAINTIFF001586		Expert Declaration of Peg Sherwood	Will introduce	
21	PLAINTIFF001611		Expert Declaration of Dr. Michael Sandbank	Will introduce	
22	PLAINTIFF000761		Declaration of Denetta Williams (Fort Bend ISD Board of Trustees)	Will introduce	Confidential
23	PLAINTIFF000251	PLAINTIFF000252	Fort Bend ISD - Update on Mask Protocols - August 12, 2021	Will introduce	
24	PLAINTIFF000253	PLAINTIFF000253	Houston Chronicle Article - "Fort Bend ISD reports more than 640 self-reported cases of COVID" - August 18, 2021	Will introduce	
25	PLAINTIFF000254	PLAINTIFF000255	Fort Bend ISD - Pecan Grove Elementary - Update to Parents re: Shifting to Online Learning - August 23, 2021	Will introduce	
26	PLAINTIFF000256	PLAINTIFF000256	Fort Bend ISD - Update on Mask Requirements - August 25, 2021	Will introduce	
27	PLAINTIFF000765		Declaration of Dr. Jeannie Stone (Richardson ISD Superintendent)	Will introduce	Confidential
28	OAG-000042	OAG-000043	OAG Letter to Richardson ISD	Will introduce	
29	PLAINTIFF002023		OAG Lawsuit - Richardson ISD	Will introduce	
30	PLAINTIFF002788		Richardson's Back to School Plan for 2021-2022	Will introduce	
31	PLAINTIFF002803		Richardson ISD COVID-19 Portal	Will introduce	
32	OAG-000044	OAG-000045	OAG Letter to Round Rock ISD	Will introduce	
33	PLAINTIFF002085		OAG Lawsuit - Round Rock ISD	Will introduce	
34	PLAINTIFF002283		Order Granting State of Texas Application for a TRO against Round Rock	Will introduce	
35	PLAINTIFF001754		Texas's Response to Petition for Writ of Mandamus in Round Rock ISD Case	Will introduce	

36	PLAINTIFF002282		Order from the Third Court of Appeals Issuing Stay in Round Rock ISD Litigation	Will introduce	
37	PLAINTIFF003995		Round Rock ISD Announcement September 17	Will introduce	
38	PLAINTIFF003996		Round Rock ISD Announcement September 23	Will introduce	
39	PLAINTIFF002084		Ken Paxton Tweet re TRO Entered in Round Rock ISD Case (9/16/21 - 6:11pm)	Will introduce	
40	PLAINTIFF002880		Round Rock ISD - News update re mask requirements on August 17, 2021	Will introduce	
41	PLAINTIFF002864		Round Rock ISD - News update on mask requirements - September 16, 2021	Will introduce	
42	PLAINTIFF002873		Round Rock ISD - News update on mask matrix - September 23, 2021	Will introduce	
43	PLAINTIFF002879		Round Rock ISD - Matrix Explanation	Will introduce	
44	PLAINTIFF002921		Round Rock - RRISD 72921 Tweet	Will introduce	
45	PLAINTIFF002922		Round Rock - News update - August 10, 2021	Will introduce	
46	PLAINTIFF002934		Round Rock - News update on mask requirements - August 25, 2021	Will introduce	
47	PLAINTIFF002960		Round Rock - News Update - September 3, 2021	Will introduce	
48	PLAINTIFF002967		Round Rock ISD - Updated guidelines as of September 23, 2021	Will introduce	
49	OAG-000086	OAG-000087	OAG Letter to Leander ISD	Will introduce	
50	PLAINTIFF002687		Leander ISD Notice re Mask Requirements - August 17, 2021	Will introduce	
51	PLAINTIFF002702		Leander Notice re COVID-19 spread - August 24, 2021	Will introduce	
52	PLAINTIFF002831		Leander ISD Notice re Mask Requirements - August 24, 2021	Will introduce	
53	PLAINTIFF002836		Leander ISD Notice re COVID-19 spread - August 24, 2021	Will introduce	
54	PLAINTIFF002843		Leander ISD Board Brief re COVID-19 Protocol - September 10, 2021	Will introduce	
55	OAG-000096	OAG-000097	OAG Letter to San Antonio ISD	Will introduce	
56	PLAINTIFF000052	PLAINTIFF000072	State of Texas v. San Antonio ISD Cause No. 2021-CI-16916 (Challenging vaccine mandate under GA-38)	Will introduce	
57	PLAINTIFF002457		State of Texas v. San Antonio ISD Cause No. 2021-CI-19115 (Challenging vaccine mandate under GA-39)	Will introduce	
58	PLAINTIFF002478		Order Granting State of Texas' Application for TRO in San Antonio ISD Case - Cause No. 2021-CI-19115	Will introduce	
59	PLAINTIFF003001		San Antonio ISD - Letter to Families on August 10, 2021	Will introduce	
60	PLAINTIFF003003		San Antonio ISD - Letter to Families on August 16, 2021	Will introduce	
61	PLAINTIFF003005		San Antonio ISD - Letter to Families on August 26, 2021	Will introduce	
62	PLAINTIFF003007		San Antonio ISD - Letter to Families on August 9, 2021	Will introduce	
63	PLAINTIFF003075		San Antonio - SAISD Family FAQ	Will introduce	
64	PLAINTIFF003081		San Antonio - SAISD Planning for a Safe School	Will introduce	
65	OAG-000026	OAG-000027	OAG Letter to Edgewood ISD	Will introduce	
66	OAG-000007	OAG-000008	Edgewood ISD Correspondence with OAG	Will introduce	
67	PLAINTIFF002567		Edgewood - Letter to Principals, Campus and District Staff on August 10, 2021	Will introduce	
68	PLAINTIFF002569		Edgewood - Board Resolution - Mandating the use of Face Masks in District Facilities and Buses	Will introduce	
69	PLAINTIFF002605		Edgewood COVID FAQ Protocols 82321	Will introduce	
70	PLAINTIFF002607		Edgewood Fall 2021 continued covid protocols	Will introduce	
71	PLAINTIFF002609		Edgewood superintendent Tweet (9/13/21)	Will introduce	
72	PLAINTIFF002610		Edgewood superintendent Tweet (9/13/21)	Will introduce	
73	PLAINTIFF002615		Edgewood superintendent Tweet (8/11/21)	Will introduce	
74	PLAINTIFF002616		Edgewood superintendent tweet (8/15/21)	Will introduce	
75	PLAINTIFF002618		Edgewood superintendent (8/15/21)	Will introduce	

76	PLAINTIFF002619		Edgewood superintendent (8/17/21)	Will introduce	
77	PLAINTIFF002622		Killeen Public Health Guide	Will introduce	
78	PLAINTIFF002639		Killeen ISD Board Meeting Minutes - August 10, 2021	Will introduce	
79	PLAINTIFF002654		Killeen ISD 2021 Public Health Guide FAQs Online	Will introduce	
80	PLAINTIFF002661		Killeen KISD Promotes Safe Practices (8/20/21)	Will introduce	
81	OAG000001	OAG000326	OAG Correspondence with Independent School Districts - Pt. I (Produced by AG Office)	Will introduce	
82	OAG000237		OAG Correspondence with Independent School Districts - Pt. II (Produced by AG Office)	Will introduce	
83	OAG-000147	OAG-000148	OAG Letter to Aransas Pass ISD	Will introduce	
84	OAG-000186	OAG-000190	Aransas Pass ISD Correspondence with OAG	Will introduce	
85	OAG-000161	OAG-000162	OAG Letter to Ferris ISD	Will introduce	
86	OAG-000185	OAG-000185	Ferris ISD Correspondence with OAG	Will introduce	
87	OAG-000177	OAG-000178	OAG Letter to Sherman ISD	Will introduce	
88	PLAINTIFF002122		OAG Lawsuit - Sherman ISD.pdf	Will introduce	
89	OAG-000257	OAG-000258	OAG Letter to South Texas ISD	Will introduce	
90	OAG-000262	OAG-000267	South Texas ISD - Revisions to Back to School Policy	Will introduce	
91	PLAINTIFF000570	PLAINTIFF000571	OAG Letter to Honey Grove ISD - September 3, 2021	Will introduce	
92	PLAINTIFF001873		OAG Lawsuit - Honey Grove ISD.pdf	Will introduce	
93	OAG-000251	OAG-000252	OAG Letter to Plano ISD	Will introduce	
94	OAG-000316	OAG-000326	Plano ISD Correspondence with OAG	Will introduce	
95	OAG-000173	OAG-000174	OAG Letter to Salado ISD	Will introduce	
96	OAG-000196	OAG-000200	Salado ISD Correspondence with OAG	Will introduce	
97	OAG-000299	OAG-000300	OAG Letter to San Diego ISD	Will introduce	
98	OAG-000330	OAG-000331	San Diego ISD Correspondence with OAG	Will introduce	
99	OAG-000179	OAG-000180	OAG Letter to Trenton ISD	Will introduce	
100	OAG-000202	OAG-000204	Trenton ISD Correspondence with OAG	Will introduce	
101	OAG-000332	OAG-000333	Matthias ISD Correspondence with OAG	Will introduce	
102	PLAINTIFF002333		Calvert ISD - PIR Response	Will introduce	
103	PLAINTIFF004007		West Orange Cove ISD - PIR Response	Will introduce	
104	OAG-000078	OAG-000079	OAG Letter to Eanes ISD - September 1, 2021	Will introduce	
105	OAG-000092	OAG-000093	OAG Letter to Paris ISD	Will introduce	
106	OAG000066	OAG-000067	Paris ISD Response to OAG Letter	Will introduce	
107	PLAINTIFF001978		OAG Lawsuit - Paris ISD	Will introduce	
108	PLAINTIFF001975		OAG Lawsuit - Paris ISD - OAG Website Announcing TRO Order	Will introduce	
109	PLAINTIFF002286		Order Granting Temporary Injunction in Paris ISD 2021.09.21	Will introduce	
110	PLAINTIFF002290		Signed TRO for Paris ISD	Will introduce	
111	PLAINTIFF001782		OAG Lawsuit - Elgin ISD	Will introduce	
112	PLAINTIFF001826		OAG Lawsuit - Galveston ISD.pdf	Will introduce	
113	PLAINTIFF002280		Order Denying Galveston ISD TRO	Will introduce	
114	OAG-000165	OAG-000166	OAG Letter to Longview ISD	Will introduce	
115	PLAINTIFF001913		OAG Lawsuit - Longview ISD	Will introduce	
116	OAG-000169	OAG-000170	OAG Letter to Lufkin ISD	Will introduce	
117	OAG-000211	OAG-000212	OAG Letter to Diboll ISD	Will introduce	
118	PLAINTIFF001952		OAG Lawsuit - Lufkin ISD and Diboll ISD	Will introduce	
119	OAG-000100	OAG-000101	OAG Letter to Spring ISD	Will introduce	
120	PLAINTIFF002155		OAG Lawsuit - Spring ISD	Will introduce	
121	OAG-000181	OAG-000182	OAG Letter to Waco ISD	Will introduce	
122	OAG-000217	OAG-000218	OAG Letter to La Vega ISD	Will introduce	
123	OAG-000223	OAG-000224	OAG Letter to McGregor ISD	Will introduce	
124	OAG-000225	OAG-000226	OAG Letter to Midway ISD	Will introduce	
125	PLAINTIFF002208		OAG Lawsuit - Waco ISD, Midway ISD, La Vega ISD, and McGregor ISD	Will introduce	
126	PLAINTIFF002342		Cedar Hill ISD - Update to Parents	Will introduce	
127	PLAINTIFF003834		Cedar ISD Newsletter 1.pdf	Will introduce	
128	PLAINTIFF003840		Cedar ISD Newsletter 2.pdf	Will introduce	
129	PLAINTIFF003842		Cedar ISD Newsletter 3.pdf	Will introduce	
130	PLAINTIFF003846		Cedar ISD Newsletter 4.pdf	Will introduce	
131	PLAINTIFF003850		Cedar ISD Newsletter 5.pdf	Will introduce	
132	PLAINTIFF003855		Cedar ISD Newsletter 6.pdf	Will introduce	
133	PLAINTIFF003863		Cedar ISD Newsletter 7.pdf	Will introduce	
134	PLAINTIFF003870		Cedar ISD Newsletter 8.pdf	Will introduce	
135	PLAINTIFF003874		Cedar ISD Newsletter 9.pdf	Will introduce	
136	PLAINTIFF000242	PLAINTIFF000242	Ken Paxton Tweet (8/20/21 at 11:59AM)	Will introduce	

137	PLAINTIFF000243	PLAINTIFF000243	Ken Paxton Tweet (9/2/21 at 12:38PM)	Will introduce	
138	PLAINTIFF000244	PLAINTIFF000244	Ken Paxton Tweet (8/20/21 at 4:56PM)	Will introduce	
139	PLAINTIFF000245	PLAINTIFF000245	Ken Paxton Tweet (8/26/21 at 3:37PM)	Will introduce	
140	PLAINTIFF002294		Ken Paxton Tweet - August 20 4:55pm	Will introduce	
141	PLAINTIFF002312		Ken Paxton Tweet - August 20 11:59am	Will introduce	
142	PLAINTIFF002313		Ken Paxton Tweet - August 26 12:38PM	Will introduce	
143	PLAINTIFF003916		Ken Paxton Tweet - September 7 3:40pm	Will introduce	
144	PLAINTIFF003915		Ken Paxton Tweet - September 16 6:11pm	Will introduce	
145	PLAINTIFF004016		Ken Paxton Tweet - September 14 4:15pm	Will introduce	
146	PLAINTIFF004017		OAG Website - Paxton Secures TRO Against Paris ISD - 9/14/21	Will introduce	
147	PLAINTIFF004020		Ken Paxton Tweet - September 14 11:48am	Will introduce	
148	PLAINTIFF004021		Ken Paxton Tweet - September 13 1:58pm	Will introduce	
149	PLAINTIFF004022		Ken Paxton Tweet - September 10 4:30pm	Will introduce	
150	PLAINTIFF004023		OAG Website - Paxton Files Multiple Lawsuits Against School Districts Defying State Law	Will introduce	
151	PLAINTIFF004044		Ken Paxton Tweet (Personal Twitter) - September 21 11:12am	Will introduce	
152	PLAINTIFF004047		Ken Paxton Tweet (Personal Twitter) - September 21 11:16am	Will introduce	
153	PLAINTIFF004015		Ken Paxton Tweet (Personal Twitter) - September 16 6:12pm	Will introduce	
154	PLAINTIFF004020		Ken Paxton Tweet - September 14 11:55am	Will introduce	
155	PLAINTIFF004050		Ken Paxton Tweet - September 13 3:08pm	Will introduce	
156	PLAINTIFF002346		Ken Paxton Tweet - September 7, 2021 3:40pm (with close-up of embedded image)	Will introduce	
157	PLAINTIFF002406		Ken Paxton Opinion No. KP-0386 Issued September 17, 2021 - Whether EO-38 creates a right, privilege, power, or immunity with regard to Texans' ability to not wear a face covering	Will introduce	
158	PLAINTIFF002365		Iowa Brief ISO Motion for TRO - September 3, 2021	Will introduce	
159	PLAINTIFF003746		Megan Aghazadian Deposition - September 24, 2021	Will introduce	
160	PLAINTIFF003771		Ashley Jernigan Deposition - September 24, 2021	Will introduce	
161	PLAINTIFF003799		Austin Kinghorn Deposition - September 27, 2021	Will introduce	
162	PLAINTIFF000001	PLAINTIFF000003	Attorney General Texas - Federal Award Recipient Profile - USASpending.Gov	Will introduce	
163	PLAINTIFF000457	PLAINTIFF000462	TEA Releases Spring 2021 STAAR Grades 3-8	Will introduce	
164	PLAINTIFF003531		TEA Public Health Planning Document - March 25, 2021	Will introduce	
165	PLAINTIFF003917		Miguel Cardona (Secretary of Education) Letter to Greg Abbott re ARP Funds - August 13, 2021	Will introduce	
166	PLAINTIFF003987		ARP ESSER Fund - Methodology for Calculating Allocations	Will introduce	
167	PLAINTIFF003880		Federal Register - DOE Interim Requirements for ARP ESSER Funding	Will introduce	
168	PLAINTIFF000004	PLAINTIFF000005	NYT Article - "The U.S. Education Department is investigating five states over their mask mandate bans." (9/2/21)	Will introduce	
169	PLAINTIFF000006	PLAINTIFF000014	Conroe ISD - COVID-19 Update (9/2/21)	Will introduce	
170	PLAINTIFF000015	PLAINTIFF000020	Dallas Morning News Article - "Coronavirus hospitalizations may be close to peaking in Dallas County, health experts say" (9/6/21)	Will introduce	
171	PLAINTIFF000021	PLAINTIFF000023	Fox 4 Article - "Covid-19 student cases across Texas schools double in one week" (9/4/21)	Will introduce	
172	PLAINTIFF000024	PLAINTIFF000027	Greg Abbott Tweet (3/12/20)	Will introduce	
173	PLAINTIFF000028	PLAINTIFF000028	Greg Abbott Tweet (7/12/20)	Will introduce	
174	PLAINTIFF000029	PLAINTIFF000029	Greg Abbott Tweet (7/20/20)	Will introduce	
175	PLAINTIFF000030	PLAINTIFF000032	Greg Abbott Tweet (7/24/20)	Will introduce	
176	PLAINTIFF000033	PLAINTIFF000033	Greg Abbott Tweet (7/26/20)	Will introduce	
177	PLAINTIFF000034	PLAINTIFF000034	Greg Abbott Tweet (7/27/20)	Will introduce	

178	PLAINTIFF000035	PLAINTIFF000037	TEA Public Health Guidance - updated 9/2/21	Will introduce	
179	PLAINTIFF000041	PLAINTIFF000045	Governor Abbott's Executive Order GA-29 - July 2, 2020	Will introduce	
180	PLAINTIFF000073	PLAINTIFF000079	Spectrum News 1 Article - "Lockhart ISD requiring masks as 781 students are quarantined" (9/6/21)	Will introduce	
181	PLAINTIFF000080	PLAINTIFF000083	Abilene Reporter News Article - "Abilene ISD closes second classroom; mask mandate not approved" (8/30/21)	Will introduce	
182	PLAINTIFF000084	PLAINTIFF000094	ABC 13 Article - "Texas districts shut down in-person classes due to COVID-19 cases, affecting more than 40k students" (9/4/21)	Will introduce	
183	PLAINTIFF000095	PLAINTIFF000098	OAG Website - List of Government Entities Unlawfully Imposing Mask Mandates - updated September 1, 2021	Will introduce	
184	PLAINTIFF000099	PLAINTIFF000103	Dallas Morning News Article - "North Texas charter school closes to stop COVID outbreak after 1 of every 10 students test positive" (8/26/21)	Will introduce	
185	PLAINTIFF000104	PLAINTIFF000108	Trivium Academy - Notice to Community re: School Closure (8/25/21)	Will introduce	
186	PLAINTIFF000109	PLAINTIFF000109	Grapevine-Colleyville ISD Tweet (8/23/21)	Will introduce	
187	PLAINTIFF000110	PLAINTIFF000113	Abilene Reporter News Article - "UPDATE: Abilene ISD closes second classroom Tuesday; mask mandate not approved Monday" (8/30/21)	Will introduce	
188	PLAINTIFF004391		Current Children's Health Systemwide COVID-19 Data - updated September 27, 2021	Will introduce	
189	PLAINTIFF004114		American Academy of Pediatrics COVID-19 Infections - State-Level Data Report - updated as of September 23, 2021 (Website Summary)	Will introduce	
190	PLAINTIFF004354		American Academy of Pediatrics COVID-19 Infections - Full Report - updated as of September 23, 2021 (PDF)	Will introduce	
191	PLAINTIFF004401		CDC COVID-19 Data Tracker - by Age Group - as of October 2, 2021	Will introduce	
192	PLAINTIFF000238	PLAINTIFF000241	OAG Website: List of Government Entities Unlawfully Imposing Mask Mandates - last updated September 1, 2021	Will introduce	
193	PLAINTIFF000246	PLAINTIFF000250	NPR News Article - "A School System Closes After 2 Teachers Die of COVID-19" - 9/1/21	Will introduce	
194	PLAINTIFF000257	PLAINTIFF000261	Click2Houston.com Article - "2 more Fort Bend ISD elementary schools to temporarily make full or partial switch to virtual learning" - August 25, 2021	Will introduce	
195	PLAINTIFF000262	PLAINTIFF000262	Fort Bend ISD - Update on Mask Requirements - August 28, 2021	Will introduce	
196	PLAINTIFF000263	PLAINTIFF000264	Katy News Article - "Katy ISD Reviewing Its Option Amid Conflicting Executive Orders on Masking" - August 13, 2021	Will introduce	
197	PLAINTIFF000265	PLAINTIFF000270	Houston Chronicle Article - "Katy ISD opened less than a week ago. The COVID-19 cases have already quadrupled."	Will introduce	
198	PLAINTIFF000271	PLAINTIFF000272	Round Rock ISD - News update on mask requirements - August 17, 2021	Will introduce	
199	PLAINTIFF000281	PLAINTIFF000282	San Antonio ISD Letter to Families - August 16, 2021	Will introduce	
200	PLAINTIFF000305	PLAINTIFF000306	Fort Bend ISD - Message regarding EO-38 and county order August 12, 2021	Will introduce	
201	PLAINTIFF000342	PLAINTIFF000342	FN58 - Leander ISD Academic Calendar	Will introduce	
202	PLAINTIFF000343	PLAINTIFF000349	Leander ISD News Update re: COVID-19 Spread - August 24, 2021	Will introduce	
203	PLAINTIFF000350	PLAINTIFF000355	Leander ISD News Update re: COVID-19 Transmission Level as of September 3, 2021	Will introduce	
204	PLAINTIFF000359	PLAINTIFF000359	Lamar CISD Instructional Calendar	Will introduce	

205	PLAINTIFF000424	PLAINTIFF000428	NBC News Article - "After FDA approves Pfizer vaccine, several steps remain before kids under 12 can be vaccinated" (8/23/21)	Will introduce	
206	PLAINTIFF000429	PLAINTIFF000434	NPR News Article - "A Vaccine for Children is Not Likely to be Approved Until the End of Year" (8/24/21)	Will introduce	
207	PLAINTIFF000435	PLAINTIFF000440	CDC - People with Certain Medical Conditions (Updated August 20, 2021)	Will introduce	
208	PLAINTIFF000474	PLAINTIFF000478	Trevium Academy - Update re: School Closure and Mask Policy - August 25, 2021	Will introduce	
209	PLAINTIFF000494	PLAINTIFF000494	Richardson ISD Calendar	Will introduce	
210	PLAINTIFF000495	PLAINTIFF000511	Richardson ISD's Back to School Plan for 2021-2022	Will introduce	
211	PLAINTIFF000530	PLAINTIFF000535	Houston Public Media Article - "Pediatric Hospitalizations Continue to Rise Across Texas as COVID-19 Spreads Among Students" - September 2, 2021	Will introduce	
212	PLAINTIFF000536	PLAINTIFF000538	USA Today Article - "Education Department investigating states with bans on school mask mandates" - August 30, 2021	Will introduce	
213	PLAINTIFF000539	PLAINTIFF000543	CBS Austin - "Texas AG threatens legal action against school districts Eanes ISD still enforcing masks" - September 3, 2021	Will introduce	
214	PLAINTIFF000562	PLAINTIFF000569	Houston Chronicle Article - "Texas pediatric COVID hospitalizations hit record high over the weekend" - September 7, 2021	Will introduce	
215	PLAINTIFF000577	PLAINTIFF000581	KXAN Article - "Round Rock ISD students will need to show proof of health issue to 'opt out' of mask requirement" - August 24, 2021	Will introduce	
216	PLAINTIFF0004027		Wichita Eagle Article - "Texas school district ignores AG's threat on mask mandates and COVID cases drop 84%" (9/22/21)	Will introduce	
217	PLAINTIFF0004033		Texas Tribune Article - "We're tracking COVID-19 cases in Texas schools. There are far more this fall than last year." (9/17/21)	Will introduce	
218	PLAINTIFF0004038		Dallas Morning News Article - "North Texas schools suddenly switch to virtual learning as COVID-19 cases surge" (9/2/21)	Will introduce	
219	PLAINTIFF000685	PLAINTIFF000690	Declaration of parent Anna Theurer with medical records from Ascension Seton Online Portal re Ellie Theurer (Authenticating Records)	Will introduce	Confidential
220	PLAINTIFF003999		Declaration of S.P. Regarding S.P. - 8-17-21	Will introduce	Confidential
221	PLAINTIFF003723		Declaration of C.M. Regarding A.M. - 8-17-21	Will introduce	Confidential
222	PLAINTIFF003721		A.T. Declaration Regarding E.T. - 8-17-21	Will introduce	Confidential
223	PLAINTIFF002497		A.T. Declaration Regarding E.T. - 9-12-21	Will introduce	Confidential
224	PLAINTIFF003913		J.L. Declaration Regarding J.R. - August 17, 2021	Will introduce	Confidential
225	PLAINTIFF002500		J.L. Declaration Regarding J.R. - 9-12-21	Will introduce	Confidential
226	PLAINTIFF002503		K.P. Declaration regarding M.P. - 9-12-21	Will introduce	Confidential
227	PLAINTIFF004406		K.P. Declaration regarding M.P. - 9-28-21	Will introduce	Confidential
228	PLAINTIFF002506		M.M. Regarding E.S. - 09-14-21	Will introduce	Confidential
229	PLAINTIFF003985		R.M. Declaration Regarding H.M. - 8-17-21	Will introduce	
230	PLAINTIFF002512		R.M. Declaration Regarding H.M. - 9-13-21	Will introduce	Confidential
231	PLAINTIFF000582	PLAINTIFF000582	Letter from Dr. J. Shah re A.M.	Will introduce	Confidential
232	PLAINTIFF000583	PLAINTIFF000589	Declaration of S.P. Regarding S.P. - 9-1-21 (Authenticating & Enclosing Records)	Will introduce	Confidential
233	PLAINTIFF000590	PLAINTIFF000590	Letter from Richardson Pediatric re S.P. Medical Condition	Will introduce	Confidential
234	PLAINTIFF000614	PLAINTIFF000614	Letter from Dr. J. Tardy re J.R. Medical Condition	Will introduce	Confidential
235	PLAINTIFF000591	PLAINTIFF000613	Declaration of K.P. Regarding M.P. - 9-2-21 (Authenticating Records) & K.P. Medical Records as attachments	Will introduce	Confidential

236	PLAINTIFF000615	PLAINTIFF000624	Medical Records from Heritage Pediatrics for J.R.	Will introduce	Confidential
237	PLAINTIFF000685	PLAINTIFF690	Declaration of A.T. Regarding E.T. & Medical Records	Will introduce	Confidential
238	PLAINTIFF000684	PLAINTIFF000684	Letter from Dr. Berhane at Children's Comprehensive Care Clinic re medical condition of E.T.	Will introduce	Confidential
239	PLAINTIFF000748	PLAINTIFF000753	Medical Records from The Austin Diagnostic Clinic for H.M.	Will introduce	Confidential
240	PLAINTIFF000754	PLAINTIFF000754	Appointment for A.M. from Dr. J. Saravia with diagnosis	Will introduce	Confidential
241	PLAINTIFF000755	PLAINTIFF000755	Letter from Dr. V. Ahmadian with CommuniCare re medical history for A.M.	Will introduce	Confidential
242	PLAINTIFF000892		Supplemental Medical Records for E.S.	Will introduce	Confidential
243	PLAINTIFF000748.pdf		H.M. Medical Records	Will introduce	Confidential
244	PLAINTIFF000754.pdf		A.M. Medical Records	Will introduce	Confidential
245	PLAINTIFF000755.pdf		A.M. Medical Records	Will introduce	Confidential
246	PLAINTIFF000798		Journal Article (Frontiers in Pediatrics) - Epidemiology, Clinical Features, and Prognostic Factors of Pediatric SARS-CoV-2 Infection (published March 16, 2021)	Will introduce	
247	PLAINTIFF000845		NYT Article - The Swiss Cheese Model of Pandemic Defense (December 5, 2020)	Will introduce	
248	PLAINTIFF000860		Morbidity and Mortality Weekly Report Article - Factors Associated with Positive SARS-CoV-2 Test Results in Outpatient Health Facilities and Emergency Departments Among Children and Adolescents	Will introduce	
249	PLAINTIFF000865		Incidence and secondary transmission of SAR-CoV-2 in schools	Will introduce	
250	PLAINTIFF000896		American Journal of Infection Control - Face masks to prevent transmission of COVID-19: A systematic review and meta-analysis	Will introduce	
251	PLAINTIFF000904		International Journal of Nursing Studies - A rapid systematic review of the efficacy of face masks and respirators against coronaviruses and other respiratory transmissible viruses for the community, health workers and sick patients	Will introduce	
252	PLAINTIFF000910		Ben Greenberg CV	Will introduce	
253	PLAINTIFF000946		BMJ Global Health - Reduction of secondary transmission of SARS-CoV-2 in households by face mask use, disinfection and social distancing: a cohort study in Beijing, China	Will introduce	
254	PLAINTIFF000956		National Bureau of Economic Research - Face masks, Public Policies and slowing the spread of COVID-19	Will introduce	
255	PLAINTIFF001024		Health Affairs - Community Use of Face Masks and COVID-19: Evidence From a Natural Experiment of State Mandates in the U.S.	Will introduce	
256	PLAINTIFF001031		PNAS 2021 - An evidence review of face masks against COVID-19	Will introduce	
257	PLAINTIFF001043		Masks Do More Than Protect Others During COVID:19	Will introduce	
258	PLAINTIFF001047		Journal of Health Economics - Face masks, public policies and slowing the spread of COVID-19: Evidence from Canada	Will introduce	
259	PLAINTIFF001092		J Urban Health - Effects of New York's Executive Order on Face Mask Use on COVID-19 Infections and Mortality	Will introduce	
260	PLAINTIFF001108		Physical distancing, face masks, and eye protection to prevent person-to-person transmission of SARS-CoV-2 and COVID-19	Will introduce	
261	PLAINTIFF001159		Nature Medicine - Modeling COVID-19 scenarios for the United States	Will introduce	
262	PLAINTIFF001186		Visualizing Speech-Generated Oral Fluid Droplets with Laser Light Scattering	Will introduce	



263	PLAINTIFF001242		American Medical Association - Effectiveness of Mask Wearing to Control Community Spread of SARS-CoV-2	Will introduce	
264	PLAINTIFF001304		COVID-19 Vaccination Rate in Texas (Dashboard) - <a href="https://tabexternal.dshs.texas.gov/pdf">tabexternal.dshs.texas.gov/pdf</a>	Will introduce	
265	PLAINTIFF001305		Global Incidence of Neurological Manifestations Among Patients Hospitalized with Covid-15	Will introduce	
266	PLAINTIFF001323		Long COVID and kids: Scientists race to find answers	Will introduce	
267	PLAINTIFF001337		Face masks effectively limit the probability of SARS-CoV-2 transmission	Will introduce	
268	PLAINTIFF001379		Austin Travis County COVID-19 Public Dashboard - as of September 21, 2021	Will introduce	
269	PLAINTIFF001390		COVID-19 Current State Analysis and Forecasting for the DFW Region	Will introduce	
270	PLAINTIFF001480		NYT Article - We Studied One Million Students, This Is What We Learned About Masking	Will introduce	
271	PLAINTIFF001482		An Examination of Factors Contributing to the Acceptance of Online Health Misinformation	Will introduce	
272	PLAINTIFF001524		COVID 19 cases and Transmission in 17 K-12 Schools	Will introduce	
273	PLAINTIFF001529		Cluster of SARS CoV-2 Infection Among Elementary School Educators and Students in One School District	Will introduce	
274	PLAINTIFF001534		Hospital Admission and Emergency Care Attendance Risk for SARS CoV-2 Delta compared with alpha	Will introduce	
275	PLAINTIFF001554		Association of Mask Mandates and COVID 19 Case Rates	Will introduce	
276	PLAINTIFF001558		Face Masks Considerably Reduce COVID 19 Cases in Germany	Will introduce	
277	PLAINTIFF001570		Notice of Retraction for "Experimental Assessment of Carbon Dioxide Content in Inhaled Air"	Will introduce	
278	PLAINTIFF001576		Retraction notice to "Facemasks in the COVID-19 era: A health hypothesis"	Will introduce	
279	PLAINTIFF001631		The Covid-19 Pandemic and Student Achievement on Ohio's Third-Grade English Language Arts Assessment	Will introduce	
280	PLAINTIFF001645		How the Covid-19 Pandemic Affected Student Learning in Ohio	Will introduce	
281	PLAINTIFF001680		Student Achievement Growth During the COVID-19 Pandemic	Will introduce	
282	PLAINTIFF001700		How much have Students Missed Academically Because of the Pandemic	Will introduce	
283	PLAINTIFF001719		Shifting to Remote Learning During COVID-19: Differences for Early Childhood and Early Childhood Special Education Teachers	Will introduce	
284	PLAINTIFF002321		TEA Summary Debrief - July 28 and July 30	Will introduce	
285	PLAINTIFF002331		TEA Summary Debrief - August 13	Will introduce	
286	PLAINTIFF003935		NBC News Article - "TEA Commissioner Shares 'Catastrophic' Impacts Pandemic is Having on Student Achievement" - September 1, 2021	Will introduce	
287	PLAINTIFF002398		June 9, 2020 TEA Summer Instruction Guidance	Will introduce	
288	PLAINTIFF002411		March 25, 2021 TEA Public Health Planning Guidance	Will introduce	
289	PLAINTIFF002422		Mask Wearing Cartoon - TEA	Will introduce	
290	PLAINTIFF002429		Progreso v. Morath - Respondents' Brief	Will introduce	
291	PLAINTIFF004052		TEA COVID-19 Support - Public Health Orders	Will introduce	
292	PLAINTIFF002487		TEA Website - Coronavirus (COVID-19) Support and Guidance	Will introduce	
293	PLAINTIFF003089		TEA Summary Debrief - December 3	Will introduce	
294	PLAINTIFF003091		TEA Public Health Planning Guidance - December 4, 2020	Will introduce	

295	PLAINTIFF003101		TEA Minimum Standard Health Protocols on Visits to Schools during Campus Closures	Will introduce	
296	PLAINTIFF003104		TEA Minimum Standard Health Protocols for School Employees in School Buildings During Campus	Will introduce	
297	PLAINTIFF003106		TEA Summary Debrief - April 7	Will introduce	
298	PLAINTIFF003109		TEA Summary DeBrief - June 30 and July 2	Will introduce	
299	PLAINTIFF003111		TEA Summary Debrief - July 28 and July 30	Will introduce	
300	PLAINTIFF003113		TEA Issues Comprehensive Guidelines - July 7, 2020	Will introduce	
301	PLAINTIFF003124		TEA Summary Debrief - August 13	Will introduce	
302	PLAINTIFF003126		TEA - Public Health Planning Guidance June 23, 2020	Will introduce	
303	PLAINTIFF003143		TEA Education Rights and Responsibilities	Will introduce	
304	PLAINTIFF003154		TEA Summary Debrief of TEA COVID-19 Superintendent Calls	Will introduce	
305	PLAINTIFF003158		TEA - Tips for Specialized Classrooms for Students with Disabilities During Remote Learning	Will introduce	
306	PLAINTIFF003162		TEA - Guidebook for Students with Disabilities - during COVID-19	Will introduce	
307	PLAINTIFF003215		TEA Summary Debrief - September 2, 2021	Will introduce	
308	PLAINTIFF003267		TEA - Attendance and Enrollment FAQ - June 3, 2021	Will introduce	
309	PLAINTIFF003316		TEA Exhibits Pt I	Will introduce	
310	PLAINTIFF003363		TEA Exhibits Pt II	Will introduce	
311	TEA-00001	TEA-000007	TEA Production - Pt. I	Will introduce	
312	TEA-00008	TEA-000017	TEA Production - Pt. II	Will introduce	
313	TEA-000018	TEA-000030	TEA Production - Pt. III	Will introduce	
314	PLAINTIFF004472		AAP - Business Records Sworn Declaration (Authenticating Exhibits 315-318)	Will introduce	
315	PLAINTIFF004067		American Academy of Pediatrics, Interim Guidance on Face Masks (last updated Aug. 11, 2021)	Will introduce	
316	PLAINTIFF004275		American Academy of Pediatrics, Interim Guidance on Safe Schools (last updated July 17, 2021)	Will introduce	
317	PLAINTIFF004091		American Academy of Pediatrics, Interim Guidance on Caring for Children and Youth with Special Health Needs During the COVID-19 Pandemic, (last updated Sept. 20, 2021)	Will introduce	
318			Children and COVID-19: State Data Report, Children's Hosp. Ass'n & Am. Acad. of Pediatrics (Sept. 23, 2021)	Will introduce	
319	PLAINTIFF004105		CDC, Science Brief: Community Use of Cloth Masks to Control the Spread of SARS-CoV-2 (updated May 7, 2021)	Will introduce	
320	PLAINTIFF004339		American Academy of Pediatrics, Interim Guidance on Post-COVID-19 Conditions in Children and Adolescents (discusses complications that kids have experienced)	Will introduce	
321	PLAINTIFF004116		Amy Houtrow et al., Children with disabilities in the United States and the COVID-19 pandemic, 13 J. of Pediatric Rehabilitation Medicine, 415, 415-24 (2020)	Will introduce	
322	PLAINTIFF004069		Jeremy Howard, et al., An Evidence Review of Face Masks Against COVID-19, 118 Proc. of the Nat'l Acad. of Servs. e2014564118 (2021)	Will introduce	
323	PLAINTIFF004294		T. Brooks & Jay C. Butler, Effectiveness of Mask Wearing to Control Community Spread of SARS-CoV-2, 325 J. of Am. Med. Ass'n 998 (2021)	Will introduce	
324	PLAINTIFF003740		Heesoo Joo, et al., Decline in COVID-19 Hospitalization Growth Rates Associated with Statewide Mask Mandates—10 States, March–October 2020. 70 Morbidity & Mortality Weekly Rep. 212 (2021)	Will introduce	

325	PLAINTIFF004309		Derek K. Chu, et al., Physical Distancing, Face Masks, and Eye Protection to Prevent Person-to-Person Transmission of SARS-CoV-2 and COVID-19: A Systematic Review and Meta-Analysis, 395 Lancet 1973 (2020)	Will introduce	
326	PLAINTIFF004090		Christopher T. Leffler, et al., Association of Country-wide Coronavirus Mortality with Demographics, Testing, Lockdowns, and Public Wearing of Masks, 103 Am. J. Tropical Med. Hygiene 2400 (2020), <a href="https://pubmed.ncbi.nlm.nih.gov/33124541/">https://pubmed.ncbi.nlm.nih.gov/33124541/</a> ; Miriam E. Van Dyke, et al., Trends in County-Level COVID-19 Incidence in Counties With and Without a Mask Mandate—Kansas, June 1-August 23, 2020. 69 Morbidity & Mortality Weekly Rep. 1777 (2020)	Will introduce	
327	PLAINTIFF004226		Wei Lyu & George L. Wehby, Community Use of Face Masks and COVID-19: Evidence from a Natural Experiment of State Mandates in the US, 39 Health Aff. 1419 (2020), <a href="https://www.healthaffairs.org/doi/10.1377/hlthaff.2020.00818">https://www.healthaffairs.org/doi/10.1377/hlthaff.2020.00818</a>	Will introduce	
328	PLAINTIFF004329		Patrick Dawson, et al., Pilot Investigation of SARS-CoV-2 Secondary Transmission in Kindergarten Through Grade 12 Schools Implementing Mitigation Strategies—St. Louis County and City of Springfield, Missouri, December 2020, 70 Morbidity & Mortality Weekly Rep. 449 (2021)	Will introduce	
329	PLAINTIFF004348		Darria L. Gillespie, et al., The Experience of 2 Independent Schools With In-Person Learning During the COVID-19 Pandemic, 91 J. Sch. Health 347 (2021)	Will introduce	
330	PLAINTIFF004298		Rebecca B. Hershow, et al., Low SARS-CoV-2 Transmission in Elementary Schools - Salt Lake County, Utah, December 3, 2020-January 31, 2021, 70 Morbidity & Mortality Weekly Rep. 442 (2021)	Will introduce	
331	PLAINTIFF004269		Amy Falk, et al., COVID-19 Cases and Transmission in 17 K-12 Schools - Wood County, Wisconsin, August 31-November 29, 2020, 70 Morbidity & Mortality Weekly Rep. 136 (2021)	Will introduce	
332	PLAINTIFF003624		Fiona Russell et al., COVID-19 in Victorian Schools: An Analysis of Child-Care and School Outbreak Data and Evidence-Based Recommendations for Opening Schools and Keeping Them Open, Murdoch Children's Rsch. Inst. & The Univ. of Melb. (Nov. 9, 2020)	Will introduce	
333	PLAINTIFF004291		See, e.g., Rajesh Samannan, et al., Effect of Face Masks on Gas Exchange in Healthy Persons and Patients with Chronic Obstructive Pulmonary Disease, 18 Annals of Am. Thoracic Soc'y 539 (2021)	Will introduce	
334	PLAINTIFF004347		Steven L. Shein, et al., The effects of wearing facemasks on oxygenation and ventilation at rest and during physical activity, PLoS One (2021)	Will introduce	
335	PLAINTIFF004089		Ricardo Lubrano, et al., Assessment of Respiratory Function in Infants and Young Children Wearing Face Masks During the COVID-19 Pandemic, JAMA Netw. Open (2021)	Will introduce	
336	PLAINTIFF004287		Do Masks Delay Speech and Language Development?, AAF	Will introduce	

337	PLAINTIFF004220		Ashley L. Ruba & Seth D. Pollak, Children's emotion inferences from masked faces: Implications for social interactions during COVID-19, PLoS One (2020)	Will introduce	
338	PLAINTIFF004342		Prevalence and Risk Factors Associated With Self-reported Psychological Distress Among Children and Adolescents During the COVID-19 Pandemic in China 4(1) JAMA Netw. Open e2035487 (2021)	Will introduce	
339	PLAINTIFF004289		TEA - USASpending.gov - Federal Funding	Will introduce	
340	PLAINTIFF004409		Governor Greg Abbott Website - Governor Abbott Allocates Emergency Education Relief Funding for Texas Higher Education	Will introduce	
341	PLAINTIFF004397		Texas Tribune Article - "At least 45 districts shut down in-person classes due to COVID-19 cases, affecting more than 40,000 students" (September 3, 2021)	Will introduce	
342	PLAINTIFF004432		Ken Paxton Website - "Title IV-D and Child Support in Texas"	Will introduce	
343	OAG-000334		August 18, 2021 - TEA Email to AG Office (With Attachment)	Will introduce	
345	OAG-000335		August 25, 2021 - TEA Email to AG Office (With Attachment)	Will introduce	
346	OAG-000336		August 27, 2021 - TEA Email to AG Office (With Attachment)	Will introduce	
347	OAG-000337		September 3, 2021 - TEA Email to AG Office (With Attachment)	Will introduce	
348	OAG-000338		August 16, 2021 - TEA Email to AG Office (With Attachment)	Will introduce	
349	OAG-000341		August 20, 2021 - TEA Email to AG Office	Will introduce	
350	OAG-000342		August 13, 2021 - TEA Email to AG Office (With Attachment)	Will introduce	
351	OAG-000343		September 10, 2021 - TEA Email to AG Office (With Attachment)	Will introduce	
352	OAG-000344		August 20, 2021 - TEA Email to AG Office (With Attachment)	Will introduce	
353	OAG-000345		September 1, 2021 - TEA Email to AG Office (With Attachment)	Will introduce	

Dated: September 29, 2021

Respectfully submitted,

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**ATTORNEYS FOR PLAINTIFFS**

**CERTIFICATE OF SERVICE**

The undersigned certifies that counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system on September 29, 2021.

/s/William G. Fox, Jr.  
William G. Fox, Jr.